

aforesaid' shall not apply to matters before the Department of the Interior."

SUBCHAPTER XI—WISCONSIN RIVER AND LAKE LAND TITLES

§ 1221. Issuance of patents; application

Whenever it shall be shown to the satisfaction of the Secretary of the Interior that a tract of public land, lying between the meander line of an inland lake or river in Wisconsin as originally surveyed and the meander line of that lake or river as subsequently resurveyed, has been held in good faith and in peaceful, adverse possession by a person, or his predecessors in interest, who had been issued a patent, prior to January 21, 1953, for lands lying along the meander line as originally determined, the Secretary of the Interior shall cause a patent to be issued to such person for such land upon the payment of the same price per acre as that at which the land included in the original patent was purchased and upon the same terms and conditions. All persons seeking to purchase lands under this subchapter shall make application to the Secretary within one year from August 24, 1954, or from the date of the official filing of the plat or resurvey, whichever is later, and the Secretary of the Interior shall cause no patents to be issued for land lying between the original meander line and the resurveyed meander line until the conclusion of such periods.

(Aug. 24, 1954, ch. 900, § 1, 68 Stat. 789.)

§ 1222. Notice of opening of lands to purchase

Upon the filing of a plat of resurvey under section 1221 of this title the Secretary shall give such notice as he finds appropriate by newspaper publication or otherwise of the opening of the lands to purchase under this subchapter.

(Aug. 24, 1954, ch. 900, § 2, 68 Stat. 790.)

§ 1223. Valid existing rights unaffected

Nothing in this subchapter shall affect valid existing rights.

(Aug. 24, 1954, ch. 900, § 3, 68 Stat. 790.)

SUBCHAPTER XII—MOVING EXPENSES RESULTING FROM ACQUISITION OF LANDS BY SECRETARY OF THE INTERIOR

§§ 1231 to 1234. Repealed. Pub. L. 91-646, title II, § 220(a)(1), Jan. 2, 1971, 84 Stat. 1903

Section 1231, Pub. L. 85-433, § 1, May 29, 1958, 72 Stat. 152, related to payment of moving expenses to owners and tenants of land acquired for developments and to applications for payments.

Section 1232, Pub. L. 85-433, § 2, May 29, 1958, 72 Stat. 152, related to administration and rules and regulations.

Section 1233, Pub. L. 85-433, § 3, May 29, 1958, 72 Stat. 152, related to definitions.

Section 1234, Pub. L. 85-433, § 4, May 29, 1958, 72 Stat. 152, related to availability of appropriations. See section 4601 et seq. of Title 42, The Public Health and Welfare.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 2, 1971, see section 221 of Pub. L. 91-646, set out as an Effective Date note under section 4601 of Title 42, The Public Health and Welfare.

SAVINGS PROVISION

Any rights or liabilities existing under provisions repealed by section 220(a) of Pub. L. 91-646 as not affected by such repeal, see section 220(b) of Pub. L. 91-646, set out as a note under section 4621 of Title 42, The Public Health and Welfare.

SUBCHAPTER XIII—STATE CONTROL OF NOXIOUS PLANTS ON GOVERNMENT LANDS

§ 1241. Control of noxious plants on Government lands; State programs; terms of entry

The heads of Federal departments or agencies are authorized and directed to permit the commissioner of agriculture or other proper agency head of any State in which there is in effect a program for the control of noxious plants to enter upon any lands under their control or jurisdiction and destroy noxious plants growing on such land if—

(1) such entry is in accordance with a program submitted to and approved by such department or agency: *Provided*, That no entry shall occur when the head of such Federal department or agency, or his designee, shall have certified that entry is inconsistent with national security;

(2) the means by which noxious plants are destroyed are acceptable to the head of such department or agency; and

(3) the same procedure required by the State program with respect to privately owned land has been followed.

(Pub. L. 90-583, § 1, Oct. 17, 1968, 82 Stat. 1146.)

§ 1242. Reimbursement of States for expenses

Any State incurring expenses pursuant to section 1241 of this title upon presentation of an itemized account of such expenses shall be reimbursed by the head of the department or agency having control or jurisdiction of the land with respect to which such expenses were incurred: *Provided*, That such reimbursement shall be only to the extent that funds appropriated specifically to carry out the purposes of this subchapter are available therefor during the fiscal year in which the expenses are incurred.

(Pub. L. 90-583, § 2, Oct. 17, 1968, 82 Stat. 1146.)

§ 1243. Authorization of appropriations

There are hereby authorized to be appropriated to departments or agencies of the Federal Government such sums as the Congress may determine to be necessary to carry out the purposes of this subchapter.

(Pub. L. 90-583, § 3, Oct. 17, 1968, 82 Stat. 1146.)

CHAPTER 29—SUBMERGED LANDS

SUBCHAPTER I—GENERAL PROVISIONS

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1301.	Definitions.
1302.	Resources seaward of Continental Shelf.
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SUBCHAPTER II—LANDS BENEATH NAVIGABLE WATERS WITHIN STATE BOUNDARIES

1311.	Rights of States.
	(a) Confirmation and establishment of title and ownership of lands and resources; management, administration, leasing, development, and use.

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| <p>Sec.</p> <p>(b) Release and relinquishment of title and claims of United States; payment to States of moneys paid under leases.</p> <p>(c) Leases in effect on June 5, 1950.</p> <p>(d) Authority and rights of United States respecting navigation, flood control and production of power.</p> <p>(e) Ground and surface waters west of 98th meridian.</p> <p>1312. Seaward boundaries of States.</p> <p>1313. Exceptions from operation of section 1311 of this title.</p> <p>1314. Rights and powers retained by United States; purchase of natural resources; condemnation of lands.</p> <p>1315. Rights acquired under laws of United States unaffected.</p> <p style="text-align: center;">SUBCHAPTER III—OUTER CONTINENTAL SHELF
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Administration of leasing.</p> <p style="padding-left: 20px;">(a) Rules and regulations; amendment; cooperation with State agencies; subject matter and scope of regulations.</p> <p style="padding-left: 20px;">(b) Compliance with regulations as condition for issuance, continuation, assignment, or other transfer of leases.</p> <p style="padding-left: 20px;">(c) Cancellation of nonproducing lease.</p> <p style="padding-left: 20px;">(d) Cancellation of producing lease.</p> <p style="padding-left: 20px;">(e) Pipeline rights-of-way; forfeiture of grant.</p> <p style="padding-left: 20px;">(f) Competitive principles governing pipeline operation.</p> <p style="padding-left: 20px;">(g) Rates of production.</p> <p style="padding-left: 20px;">(h) Federal action affecting outer Continental Shelf; notification; recommended changes.</p> <p style="padding-left: 20px;">(i) Flaring of natural gas.</p> <p style="padding-left: 20px;">(j) Cooperative development of common hydrocarbon-bearing areas.</p> <p>1335. Validation and maintenance of prior leases.</p> <p style="padding-left: 20px;">(a) Requirements for validation.</p> <p style="padding-left: 20px;">(b) Conduct of operations under lease; sulphur rights.</p> <p style="padding-left: 20px;">(c) Nonwaiver of United States claims.</p> <p style="padding-left: 20px;">(d) Judicial review of determination.</p> <p style="padding-left: 20px;">(e) Lands beneath navigable waters.</p> <p>1336. Controversies over jurisdiction; agreements; payments; final settlement or adjudication; approval of notice concerning oil and gas operations in Gulf of Mexico.</p> <p>1337. 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Reservation of lands and rights.</p> <p style="padding-left: 20px;">(a) Withdrawal of unleased lands by President.</p> <p style="padding-left: 20px;">(b) First refusal of mineral purchases.</p> <p style="padding-left: 20px;">(c) National security clause.</p> <p style="padding-left: 20px;">(d) National defense areas; suspension of operations; extension of leases.</p> <p style="padding-left: 20px;">(e) Source materials essential to production of fissionable materials.</p> <p style="padding-left: 20px;">(f) Helium ownership; rules and regulations governing extraction.</p> <p>1342. Prior claims as unaffected.</p> <p>1343. Repealed.</p> <p>1344. 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Environmental studies.</p> <p style="padding-left: 20px;">(a) Information for assessment and management of impacts on environment; time for study; impacts on marine biota from pollution or large spills.</p> <p style="padding-left: 20px;">(b) Additional studies subsequent to leasing and development of area.</p> <p style="padding-left: 20px;">(c) Procedural regulations for conduct of studies; cooperation with affected States; utilization of information from Federal, State and local governments and agencies.</p> <p style="padding-left: 20px;">(d) Consideration of relevant environmental information in developing regulations, lease conditions and operating orders.</p> <p style="padding-left: 20px;">(e) Assessment of cumulative effects of activities on environment; submission to Congress.</p> <p style="padding-left: 20px;">(f) Utilization of capabilities of Department of Commerce.</p> <p>1347. 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Enforcement of safety and environmental regulations.</p> <p style="padding-left: 20px;">(a) Utilization of Federal departments and agencies.</p> <p style="padding-left: 20px;">(b) Duties of holders of lease or permit.</p> <p style="padding-left: 20px;">(c) Onsite inspection of facilities.</p> <p style="padding-left: 20px;">(d) Investigation and report on major fires, oil spills, death, or serious injury.</p> <p style="padding-left: 20px;">(e) Review of allegations of violations.</p> <p style="padding-left: 20px;">(f) Summoning of witnesses and production of evidence.</p> <p>1349. 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Oil and gas development and production.</p> <p style="padding-left: 20px;">(a) Development and production plans; submission to Secretary; statement of facilities and operation; submission to Governors of affected States and local governments.</p> <p style="padding-left: 20px;">(b) Development and production activities in accordance with plan as lease requirement.</p> <p style="padding-left: 20px;">(c) Scope and contents of plan.</p> <p style="padding-left: 20px;">(d) State concurrence in land or water zone use in coastal zone of State.</p> <p style="padding-left: 20px;">(e) Declaration of approval of development and production plan as major Federal action; submission of preliminary or final lease plans prior to commencement of National Environmental Policy provisions procedures.</p> <p style="padding-left: 20px;">(f) Plans considered major Federal actions; submission of draft environmental impact statement to Governors of affected States and local governments.</p> <p style="padding-left: 20px;">(g) Plans considered nonmajor Federal actions; comments and recommendations from States.</p> <p style="padding-left: 20px;">(h) Approval, disapproval or modification of plan; reapplication; periodic review.</p> <p style="padding-left: 20px;">(i) Approval of revision of approved plan.</p> <p style="padding-left: 20px;">(j) Cancellation of lease on failure to submit plan or comply with approved plan.</p> <p style="padding-left: 20px;">(k) Production and transportation of natural gas; submission of plan to Federal Energy Regulatory Commission; impact statement.</p> <p style="padding-left: 20px;">(l) Application of provisions to leases in Gulf of Mexico.</p> <p>1352. Oil and gas information program.</p> <p style="padding-left: 20px;">(a) Access to data and information obtained by lessee or permittee from oil or gas exploration, etc., data obtained by Federal department or agency from geological and geophysical explorations.</p> <p style="padding-left: 20px;">(b) Processing, analyzing, and interpreting information; availability of summary of data to affected States and local government.</p> <p style="padding-left: 20px;">(c) Confidentiality of information; regulations.</p> <p style="padding-left: 20px;">(d) Transmittal of information to affected State; protection of competitive position.</p> |
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- (e) Agreement with State to waive defenses and hold United States harmless from failure to maintain confidentiality of information.
- (f) Civil action against United States or State for failure to maintain confidentiality of information; certain defenses unavailable.
- (g) Preemption of State law by Federal law.
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- 1353. Federal purchase and disposition of oil and gas.
 - (a) Payment of royalties or net profit shares in oil and gas; purchase of oil and gas by United States; transfer of title to Federal agencies.
 - (b) Sale of oil by United States to public; disposition of oil to small refiners; application of other laws.
 - (c) Sale of gas by United States to public.
 - (d) Purchase by lessee of Federal oil or gas for which no bids received.
 - (e) Definitions.
 - (f) Purchase of oil and gas in time of war.
- 1354. Limitations on export of oil or gas.
 - (a) Application of Export Administration provisions.
 - (b) Condition precedent to exportation; express finding by President of no increase in reliance on imported oil or gas.
 - (c) Report of findings by President to Congress; joint resolution of disagreement with findings of President.
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- 1355. Restrictions on employment of former officers or employees of Department of the Interior.
- 1356. Documentary, registry and manning requirements.
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 - (b) Exceptions from design, construction, alteration, and repair requirements.
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- 1356a. Coastal impact assistance.
 - (a) In general.
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 - (e) Coastal Impact Assistance Plan.
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SUBCHAPTER I—GENERAL PROVISIONS

§ 1301. Definitions

When used in this subchapter and subchapter II of this chapter—

(a) The term “lands beneath navigable waters” means—

(1) all lands within the boundaries of each of the respective States which are covered by nontidal waters that were navigable under the laws of the United States at the time such State became a member of the Union, or acquired sovereignty over such lands and waters thereafter, up to the ordinary high water mark as heretofore or hereafter modified by accretion, erosion, and reliction;

(2) all lands permanently or periodically covered by tidal waters up to but not above the line of mean high tide and seaward to a line three geographical miles distant from the coast line of each such State and to the boundary line of each such State where in any case such boundary as it existed at the time such State became a member of the Union, or as heretofore approved by Congress, extends seaward (or into the Gulf of Mexico) beyond three geographical miles, and

(3) all filled in, made, or reclaimed lands which formerly were lands beneath navigable waters, as hereinabove defined;

(b) The term “boundaries” includes the seaward boundaries of a State or its boundaries in the Gulf of Mexico or any of the Great Lakes as they existed at the time such State became a member of the Union, or as heretofore approved by the Congress, or as extended or confirmed pursuant to section 1312 of this title but in no event shall the term “boundaries” or the term “lands beneath navigable waters” be interpreted as extending from the coast line more than three geographical miles into the Atlantic Ocean or the Pacific Ocean, or more than three marine leagues into the Gulf of Mexico, except that any boundary between a State and the United States under this subchapter or subchapter II of this chapter which has been or is hereafter fixed by coordinates under a final decree of the United States Supreme Court shall remain immobilized at the coordinates provided under such decree and shall not be ambulatory;

(c) The term “coast line” means the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters;

(d) The terms “grantees” and “lessees” include (without limiting the generality thereof) all political subdivisions, municipalities, public and private corporations, and other persons holding grants or leases from a State, or from its predecessor sovereign if legally validated, to lands beneath navigable waters if such grants or leases were issued in accordance with the constitution, statutes, and decisions of the courts of the State in which such lands are situated, or of its predecessor sovereign: *Provided, however*, That nothing herein shall be construed as conferring upon said grantees or lessees any greater rights or interests other than are described herein and in their respective grants from the State, or its predecessor sovereign;

(e) The term “natural resources” includes, without limiting the generality thereof, oil, gas, and all other minerals, and fish, shrimp, oysters, clams, crabs, lobsters, sponges, kelp, and other marine animal and plant life but does not include water power, or the use of water for the production of power;

(f) The term “lands beneath navigable waters” does not include the beds of streams in lands now or heretofore constituting a part of the public lands of the United States if such streams were not meandered in connection with the public survey of such lands under the laws of the United States and if the title to the beds of such streams was lawfully patented or conveyed by the United States or any State to any person;